

Mayor and City Council

Agenda Item Request

Meeting Date: 6/3/2013

Type: Public Hearing

Call to Podium:

Lynn Board, City Attorney

Agenda Item Title:

An Emergency Ordinance to Amend Chapter 2 of the City Code Entitled "Administration," Article II Entitled "Municipal-County Relations," Section 2-6 Entitled "Exemption from Montgomery County Legislation and Regulations With the City" so as to Delete the Provisions of Chapters 16 and 19 of the Montgomery County Code Entitled "Elections" and "Erosion, Sediment Control and Storm Water Management", Respectively, as Being Applicable and Enforceable Within the City

Responsible Staff and Department:

Lynn Board, City Attorney

Harold Belton, Director of Finance and Administration

Jim Arnoult, Director of Public Works

Desired Outcome from Council:

Conduct Public Hearing. Staff recommends that the City Council hold the record open for 4 days until 5 p.m. on June 7, 2013 with anticipated adoption on June 17, 2013.

Public Hearing History	
Introduction Date:	5/20/2013
Advertisement Date :	5/21/2013
Public Hearing Date:	6/3/2013
Record Held Open Date:	6/7/2013
Policy Discussion Date:	6/17/2013
Anticipated Adoption Date:	6/17/2013

SUPPORTING BACKGROUND ON NEXT PAGE

Mayor and City Council

Agenda Item Request

Supporting Background Information:

Staff is proposing to delete the provisions of Chapter 16 of the County Code from applicability within the City as the provisions in the County Code establish County election districts, referendum petition procedures, Charter referendum procedures and special election procedures when there is a council vacancy. The City currently regulates all of these areas either through the Charter or Article 23A of the Annotated Code of Maryland and the County provisions conflict with current City laws.

Staff is also proposing to delete the provisions of Chapter 19 of the County Code from applicability within the City as Chapter 19-35 establishes the County water quality protection charge. The City has included its own water quality protection charge in the FY'14 Fee Schedule and will be pursuing a study to recommend a future rate structure for the City. Deletion of the County Code provisions will allow the City to collect the past fee until such time as a new fee structure is developed.